

Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 E. 42nd Street, Suite 4510
New York, New York 10165

jandrophy@faillacelaw.com

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 06/17/2020

Telephone: (212) 317-1200
Facsimile: (212) 317-1620

June 16, 2020

BY ECF

Hon. Valerie E. Caproni
U.S.D.J., Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: Lantigua –Caba v. Elegant Linen of NY Inc. et al;
19-cv-07302-VEC

Dear Judge Caproni:

We represent Plaintiff Julian Antonio Lantigua-Caba in the above-referenced matter. I write to provide the Court with a status update regarding the settlement between Plaintiff and defendant Abadi, and to respectfully request an adjournment of the conference scheduled for June 19, 2020 to June 26, 2020. Defendants consent the request.

The parties remain committed to the settlement they have reached, but are continuing to experience difficulties in having Plaintiff Lantigua-Caba sign the agreement before a notary, due to the COVID-19 pandemic. He had sent us a signed agreement, but the agreement requires his signature to be notarized so we are working to arrange for him to sign again, before a notary (in person or remotely by video). This has far longer than anticipated, but we are hopeful that the additional time will obviate the need for a conference. I am informed by Defendant Abadi's attorney that Abadi has signed the agreement.

On a personal note, I also request an adjournment because my son's nursery school end of year celebration is taking place (virtually) on June 19 at the time of the conference.

Counsel have already prepared the *Cheeks* fairness submission. Once the agreement is signed and notarized by both parties, we will submit the settlement agreement for approval.

We respectfully request a one week adjournment of the conference. This is the second request for an adjournment.

We thank the Court for its attention to this matter. Please do not hesitate to contact us should you need any more information.

Respectfully Submitted,

/s/ Joshua S. Androphy
Joshua S. Androphy, Esq.
MICHAEL FAILLACE & ASSOCIATES, P.C.
Attorneys for Plaintiff

Plaintiff's motion for approval was due on June 12, 2020. Plaintiff's request is therefore once again untimely, after the Court warned Plaintiff's counsel, less than two weeks ago, to adhere to the Court's deadlines. If Plaintiff's counsel violates another deadline, he and his firm will be sanctioned.

Plaintiff's motion for approval is due by **June 22, 2020**. The June 19 conference is adjourned to **June 26, 2020, at 10:00 A.M.** All parties and interested members of the public must attend by dialing 1-888-363-4749, using the access code 3121171 and the security code 7302.

SO ORDERED.

Date: 06/17/2020



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE